

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4618 of 2005

Between:

Smt. K. Rama Devi W/o Sri K. Narasimha Reddy
R/o Neelampalli village B.K. Samudram Mandal, Ananthapur District

..... PETITIONER

AND

- 1 The Joint Collector and Additional District Magistrate, Ananthapur District
Ananthapur.
- 2 The Revenue Divisional Officer, Ananthapur Revenue Division, Ananthapur

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ, order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not granting stay of the proceedings No. DICS/2120/98 dated 1-3-04 of the 2nd respondent during the pendency of appeal filed by the petitioner before it, as arbitrary, illegal, unjust and consequently set- a side the proceedings No. K4/ATP/141/2005 dated 15-2-2005 of the 1st respondent to the extent of not granting stay of proceedings nO. DICS/2120/1998 dated 1-3-04 of the 2nd respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.INENIVENKATA PRASAD

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government pleader for Civil Supplies. Perused the material placed before me.

It appears that the second respondent through proceedings dated 1.3.2004 canceled the very authorisation of the petitioner as a fair price shop dealer. Aggrieved by the same, the petitioner preferred an appeal before the first respondent-Joint Collector and it is pending.

The only grievance of the petitioner is that, along with the appeal, he filed an application seeking interim stay of the order of cancellation of his authorisation as a fair price shop dealer. But the appellate authority is not considering the said application.

In that view of the matter, I feel it expedient to direct the Joint Collector i.e. first respondent herein to dispose of the stay application filed by the petitioner, seeking interim stay of the cancellation orders passed by the second respondent, pending appeal, as expeditiously as possible, preferably within two weeks from the date of receipt of a copy of this Order.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

kvsn 10-03-2005

To

- 1 The Joint Collector and Additional District Magistrate, Ananthapur
Ananthapur district
- 2 The Revenue Divisional Officer, Anantapur Revenue Division, Ananthapur
- 3 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.
- 4 Two CD copies.